

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	No. S1-4:17-cr-00100 NAB
COLLIN McATEE,)	
)	
Defendant.)	

MOTION TO DISMISS AS TO DEFENDANT COLLIN McATEE

The United States of America, by the undersigned Special Attorney to the United States Attorney General, respectfully moves this Court to dismiss the Superseding Information (Doc. # 11) as to defendant Collin McAtee pursuant to Federal Rule of Criminal Procedure 48(a), for the reason that the defendant has died. The United States has requested a copy of the death certificate and will supplement this filing with a copy upon receipt.

In addition, on July 8, 2018, this Court ordered that the Clerk of Court accept prepayments of restitution in this matter (Doc. #109). On or about July 13, 2018, the Clerk of Court received and accepted a prepayment of restitution on behalf of Collin McAtee in the amount of \$310,000 (Exhibit A). For the reason set forth above, the United States respectfully moves this Court to now direct the Clerk of Court to return or otherwise release the previously accepted prepayment of restitution (and any interest) to the appropriate representative for the McAtee family. The identified victim in this matter has been consulted and has no objection to the return of said prepaid funds to the McAtee family.

Respectfully submitted,

WILLIAM P. BARR
United States Attorney General

TIMOTHY A. GARRISON
United States Attorney
Western District of Missouri

/s/ Charles S. Birmingham
CHARLES S. BIRMINGHAM, #47134MO
Special Attorney to the United States Attorney General